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Intel Legal Team

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JUL 26 2004

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Page 1 of 16

Urgent

Confidential

Date: 26-Jul-04

To:  
Examiner: L.T. Jacobs  
USPTO

Fax:  
(703) 872-9306

Art Unit:  
2157

From:  
Ted A. Crawford  
Intel Corporation

Fax:  
503-264-1729

M/S:  
JF3-147

Subject: Application No.: 09/608,888 Docket #: 42P10424  
Filed: June 30, 2000 Inventor: Ashwani Garg

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Derek S. Watson Date: July 26, 2004

Message:

Included in this transmission:  
Fax Cover Sheet (1 page)  
Transmittal (1 page)  
Fee Transmittal (1 page submitted in duplicate)  
Amendment (12 pages)

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PTO/SB/21 (02-04)

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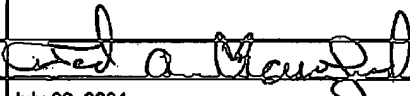
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/808,888	
	Filing Date	June 30, 2000	
	First Named Inventor	Ashwan! Garg	
	Art Unit	2157	
	Examiner Name	Jacobs, LaShonda T.	
Total Number of Pages in This Submission	15	Attorney Docket Number	P10424

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Ted A. Crawford, Reg. No. 50,610		
Signature			
Date	July 26, 2004		

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Typed or printed name	Derek S. Watson		
Signature		Date	July 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)****Complete if Known**

Application Number

Filing Date

First Named Inventor

Examiner Name

Art Unit

Attorney Docket No.

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

50-0221

Intel Corporation

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 43	Independent claims in excess of 3	
1203 260	2203 145	Multiple dependent claim, if not paid	
1204 88	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2) (\$)</b>			

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	1052 50	2052 25	Surcharge - late filing fee or oath	
1053 130	2053 130	1812 2,520	2520 2,520	Surcharge - late provisional filing fee or cover sheet	
1804 920*	2804 920*	1805 1,840*	2805 1,840*	Non-English specification	
1251 110	2251 55	1252 420	2252 210	For filing a request for <i>ex parte</i> reexamination	
1253 950	2253 475	1254 1,480	2254 740	Requesting publication of SIR prior to Examiner action	
1255 2,010	2255 1,005	1401 330	2401 165	Requesting publication of SIR after Examiner action	
1402 330	2402 165	1403 280	2403 145	Extension for reply within first month	
1451 1,510	2451 1,510	1452 110	2452 55	Extension for reply within second month	
1453 1,330	2453 665	1501 1,330	2501 665	Extension for reply within third month	
1502 480	2502 240	1503 640	2503 320	Extension for reply within fourth month	
1460 130	2460 130	1807 50	2807 50	Extension for reply within fifth month	
1807 50	2807 50	1808 180	2808 180	Notice of Appeal	
8021 40	28021 40	8029 770	28029 385	Filing a brief in support of an appeal	
1810 770	2810 385	1801 770	2801 385	Request for oral hearing	
1801 770	2801 385	1802 900	2802 900	Petition to institute a public use proceeding	
1802 900	2802 900			Petition to revive - unavoidable	
				Petition to revive - unintentional	
				Utility issue fee (or reissue)	
				Design issue fee	
				Plant issue fee	
				Petitions to the Commissioner	
				Processing fee under 37 CFR 1.17(q)	
				Submission of Information Disclosure Stmt	
				Recording each patent assignment per property (times number of properties)	
				Filing a submission after final rejection (37 CFR 1.129(a))	
				For each additional invention to be examined (37 CFR 1.129(b))	
				Request for Continued Examination (RCE)	
				Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****SUBMITTED BY**

Name (Print/Type)

Ted A. Crawford

Registration No.

50,610

(Complete if applicable)

Telephone 503-712-2799

Signature

Ted A. Crawford

Date

July 26, 2004

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Attorney Docket No.: P10424

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Garg, et al.

Application No: 09/608,888

Filed: June 30, 2000

For: Apparatus and Method for Building  
Distributed Fault-Tolerant/High-  
Availability Computer Applications

Examiner: Jacobs, LaShonda T.

Art Unit: 2157

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450AMENDMENT AND RESPONSE

Dear Examiner:

In response to the Office Action of May 5, 2004, please consider the following remarks.

Remarks begin on page 2 of this paper.